

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

**SHANE R. PRICE,
SSN: XXX-XX-2873,**

Plaintiff,

vs.

**CAROLYN W. COLVIN, Acting
Commissioner of Social Security
Administration,**

Defendant.

NO.: CV-16-08-GF-BMM-JTJ

ORDER

Plaintiff Shane R. Price ("Price"), by and through his attorney, John E. Seidlitz, Jr., moves under the Equal Access to Justice Act ("EAJA"), 28 U.S.C. §2412 *et seq.*, for attorney fees incurred in prosecuting his Social Security appeal. He requests \$5,720.81 in fees. Defendant Commissioner of Social Security ("Commissioner") does not object to Price's application for fees in this amount.

Accordingly, **IT IS ORDERED** that Defendant shall pay \$5,720.81 in fees under the EAJA.

IT IS FURTHER ORDERED that if, after receiving the Court's EAJA fee order, the Commissioner (1) determines upon effectuation of the Court's EAJA fee order that Plaintiff does not owe a debt that is subject to offset

under the Treasury Offset Program, (2) agrees to waive the requirements of the Anti-Assignment Act, and (3) is provided a valid assignment of fees executed by Plaintiff, the fees will be made payable to Plaintiff's attorney. However, if there is a debt owned under the Treasury Offset Program, the Commissioner cannot agree to waive the requirements of the Anti-Assignment Act, and any remaining EAJA fees after offset will be paid by a check made out to Plaintiff, but delivered to Plaintiff's attorney.

DATED this 28th day of February, 2017.



Brian Morris
United States District Court Judge